

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Paul Berry

v.

Civil No. 07-cv-178-PB

Larry Blaisdell, Warden,
Northern NH Correctional Facility

ORDER

Petitioner's objection is based on a misreading of section 2244(d)(1)(A). His conviction became final when the time for seeking certiorari review of the state supreme court's ruling expired. More than a year passed after the conviction became final before the next state court proceeding was commenced. Thus, the AEDPA statute of limitations expired before the first post conviction filing was made. No other exception applied. Report and Recommendation approved.

SO ORDERED.

December 19, 2007

/s/ Paul Barbadoro
Paul Barbadoro
United States District Judge

cc: Paul Berry, pro se

